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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,174	12/10/1999	WALTER WESLEY HOWE	99-006	2106

32127 7590 10/22/2003

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EXAMINER

LELE, TANMAY S

ART UNIT	PAPER NUMBER
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2684

17

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/460,174

Applicant(s)

HOWE, WALTER WESLEY

Examiner

Tanmay S Lele

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments with respect to claims 1 – 25 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 – 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 1, 10, 14, 16, 19, and 24, the limitation, “without attempting to first establish communication with another hard-terminal” was not specifically described in the Applicant’s specification. Applicant describes call initiation (page 5, lines 10 – 21), illustrates advantages of the invention (page 8, lines 5 – 8), states “single connection” (page 8, lines 16 – 18), and “set-up a call with a only a local call...” (page 5, lines 60 – 32) but makes no specific reference to the step of “without attempting to first establish communication with a hard-terminal” as claimed.

Claims 2 – 9, 11 – 13, 15, 17 – 18, 20 – 23, and 25 are rejected for reasons of at least those reasons as recited for independent claims 1, 10, 14, 16, 19, and 24.

*(Please note that below follows the rejections presented from paper number 12, under the assumption that Applicant intends to withdraw the new matter stated above)*

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5 – 8, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783).

Regarding claim 1, Voit teaches of a communication system that provides an optimum connector path between a hard-wired data unit and a mobile data unit comprising: means for locating a serving switch of a wireless communication system that was last in contact with said mobile data unit (column 10, lines 53 –60); means for assigning a temporary local directory number to said serving switch (column 12, lines 25 – 33).

Voit further teaches of means for communicating with said mobile data unit including said hard-wired data unit being connected to an alternate non-public switched telephone network and to the public switch telephone network and dialing said temporary local directory number to activate a connection with said serving switch (column 12, lines 18 – 43 and column 7, lines 38 – 53)

Voit does not specifically teach of at a location local to said serving switch (though states “most efficiently allow connection to the MSO,” column 12, lines 33 – 38).

It would have been obvious to one skilled in the art at the time of invention to have Voit’s local hard wired data unit at a location local to said serving switch, for the purposes of efficiently

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(and therefore quickly and without any added latency or waste of time) performing connection between the hard wired unit and the mobile unit.

Regarding claim 5, Voit teaches all the claimed limitations as recited in claim 1. Voit further teaches of wherein said communicating means includes a server for controlling - communication through said alternate non-public switched telephone network (column 7, lines 53 – 63).

Regarding claim 6, Voit teaches all the claimed limitations as recited in claim 5. Voit further teaches wherein said alternate network is based on the Internet protocol (column 7, lines 53 – 63).

Regarding claim 7, Voit teaches all the claimed limitations as recited in claim 5. Voit further teaches of wherein said server, operating through said alternate network, selects a local communication path to said serving switch (column 7, lines 53 – 63 and column 12, lines 17 – 43).

Regarding claim 8, Voit teaches all the claimed limitations as recited in claim 1. Voit further teaches of wherein said serving switch is local to said mobile data unit so that all calls made through said serving switch will be local calls (column 12, lines 18 – 43 and column 10, lines 43 – 60).

Regarding claim 14, Voit teaches of a telephone system for communicating between a hard-wired data unit and a mobile data unit including a server connected to and controlling an Internet based protocol network for determining the temporary local directory number of a last serving switch in contact with said mobile data unit (as seen in Figure 4 and column 12, lines 18 – 43) and for using said temporary local directory number to establish communication with said

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wireless modem through use of said Internet based protocol network and a public telephone network (as seen in Figure 4 and column 12, lines 18 –43).

Regarding claim 16, Voit teaches of a method for providing an optimum connector path between a hard-wired data unit and a mobile data unit comprising the steps of locating a serving switch of a wireless communication system that was last in contact with said mobile data unit (column 10, lines 53 – 60); assigning a temporary local directory number to said serving switch (column 12, lines 18 – 43).

Voit further teaches of communicating with said mobile data unit including the sub-steps of connecting said hard-wired data unit to an alternate non-public switched telephone network (as seen in Figure 4, and column 12, lines 18 – 43) and to the public switch telephone network, dialing said temporary local directory number, and activating a connection with said serving switch (column 12, lines 18 – 43).

Voit does not specifically teach of at a location local to said serving switch (though states “most efficiently allow connection to the MSO,” column 12, lines 33 – 38).

It would have been obvious to one skilled in the art at the time of invention to have Voit’s local hard wired data unit at a location local to said serving switch, for the purposes of efficiently (and therefore quickly and without any added latency or waste of time) performing connection between the hard wired unit and the mobile unit.

6. Claims 2, 3, 9, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783) as applied to claims 1 and 10 above, and further in view of Dommety et al. (Dommety, US Patent No 6,078,575).

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Regarding claim 2, Voit teaches all the claimed limitations as recited in claim 1. Voit does not specifically teach of wherein said locating means includes a database in which the identity of the visited location register last in contact with the mobile data unit is stored (though reference is made to Emery, US Patent No. 5,508,887 for background art).

In a related art dealing with mobile location management, Dommety teaches of wherein said locating means includes a database in which the identity of the visited location register last in contact with the mobile data unit is stored (column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 –38).

It would have been obvious to one skilled in the art at the time of invention to have included Voit's optimal communication system, Dommety's VLR structure, for the purposes of timely and cost effectively tracking mobile position for call set-up, as taught by Dommety.

Regarding claim 3, Voit teaches all the claimed limitations as recited in claim 1. Voit further teaches of wherein said assigning means assigns a temporary local directory number (column 12, lines 18 – 43).

Voit does not specifically state [of wherein said assigning means assigns a temporary local directory number] based on the geographic location of said serving switch (though it should be noted that Voit does make mention of a TLDN for the serving switch in column 12, lines 30 – 34).

In a related art dealing with mobile location management, Dommety teaches [of wherein said assigning means assigns a temporary local directory number] based on the geographic location of said serving switch (column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 –38).

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It would have been obvious to one skilled in the art at the time of invention to have included Voit's optimal communication system, Dommety's VLR structure, for the purposes of timely and cost effectively tracking mobile position for call set-up, as taught by Dommety.

Regarding claim 9, Voit teaches all the claimed limitations as recited in claim 1. Voit does not specifically teach of wherein said assigning means assigns a temporary local directory number by selecting from a pool of numbers whose geographic base is said serving switch (though it should be noted that Voit does make mention of a TLDN for the serving switch in column 12, lines 30 – 34).

In a related art dealing with mobile location management, Dommety teaches wherein said assigning means assigns a temporary local directory number by selecting from a pool of numbers whose geographic base is said serving switch (column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 – 38; not the pool of numbers is obvious as the system is not just for one user, but a plurality of users and hence many numbers must be must exist).

It would have been obvious to one skilled in the art at the time of invention to have included Voit's optimal communication system, Dommety's VLR structure, for the purposes of timely and cost effectively tracking mobile position for call set-up, as taught by Dommety.

Regarding claim 15, Voit teaches all the claimed limitations as recited in claim 14. Voit further teaches of wherein said temporary local directory number comes from a non-standard numbering plan whose numbers are not normally dialable (column 9, lines 29 – 45).

Voit does not specifically teach of wherein said temporary local directory number comes from a standard numbering plan whose numbers are normally dialable.



In a related art dealing with mobile location management, Dommety teaches of wherein said temporary local directory number comes from a standard numbering plan whose numbers are normally dialable (column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 –38 and column 3, lines 7 – 19).

It would have been obvious to one skilled in the art at the time of invention to have included Voit's optimal communication system, Dommety's VLR structure, for the purposes of timely and cost effectively tracking mobile position for call set-up, as taught by Dommety.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783) and Dommety et al. (Dommety, US Patent No 6,078,575) as applied to claim 1 above, and further in view of Perlman (Perlman, US Patent 5,636,209).

Regarding claim 4, Voit in view of Dommety, teach all the claimed limitations as recited in claim 3. Voit in view of Dommety do not specifically teach of wherein said temporary local directory number is used to select said hardwired data unit from a pool of geographically disposed hard-wired data units by comparing characteristics of said temporary local directory number with characteristics of each phone number associated with each said hard-wired data unit on said public switch telephone network.

In an related art dealing with a modem that supports multiple site called conferenced data Perlman teaches of wherein said temporary local directory number is used to select said hardwired data unit from a pool of geographically disposed hard-wired data units by comparing characteristics of said temporary local directory number with characteristics of each phone

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number associated with each said hard-wired data unit on said public switch telephone network (column 7, lines 22 – 40 and column 9, lines 31 –55 and column 10, lines 29 – 49).

It would have been obvious to one skilled in the art at the time of invention to have used into Voit and Dommety's TLDN with Perlman's pool of number's and modems, for the purposes of finding the closest modem, thus reducing cost, as taught by Perlman.

8. Claims 10, 11, 17 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783) in view of Dommety et al. (Dommety, US Patent No 6,078,575).

Regarding claim 10, Voit teaches of a telephone system, comprising: a wireless data unit (column 10, lines 53 – 60); an alternate non-public switch telephone network controlled by at least one server (column 7, lines 39 – 54); a home location register addressable by said server (column 12, lines 18 – 43); a serving switch of a wireless communication system that was in communication with said wireless data unit (column 10, lines 53 – 60); establishing a temporary local directory number for said serving switch and forwarding said temporary local directory number to said home location register for delivery to said server column 12, lines 18 – 43); and a hard-wired data unit (column 7, lines 41 – 53); connected to said alternate network and to the public switch telephone network that uses said temporary local directory number to call said serving switch to establish communication with said wireless data unit (column 12, lines 18 – 43).

Voit does not specifically teach of a visited location register in selective communication with said home location register, said home location register including a database showing that said visited location register was last in communication with said wireless data unit; a serving switch of a wireless communication system that was in communication with said wireless data

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unit and with said visited location register; or said visited location register establishing a temporary local directory number for said serving switch and forwarding said temporary local directory number to said home location register for delivery to said server.

In a related art dealing with mobile location management, Dommetty teaches of a visited location register in selective communication with said home location register, said home location register including a database showing that said visited location register was last in communication with said wireless data unit (column 11, lines 1 – 13; column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 – 38 and column 1, lines 31 – 56); a serving switch of a wireless communication system that was in communication with said wireless data unit and with said visited location register (column 11, lines 1 – 13; column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 – 38 and column 1, lines 31 – 56); or said visited location register establishing a temporary local directory number for said serving switch and forwarding said temporary local directory number to said home location register for delivery to said server (column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 – 38).

It would have been obvious to one skilled in the art at the time of invention to have included Voit's optimal communication system, Dommetty's VLR structure, for the purposes of timely and cost effectively tracking mobile position for call set-up, as taught by Dommetty.

Regarding claim 11, Voit in view of Dommetty, teach all the claimed limitations as recited in claim 10. Voit further teaches wherein said alternate network is an Internet protocol based network (column 7, lines 54 – 63).

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Regarding claim 17, Voit in view of Dommety, teaches all the claimed limitations as recited in claim 10. Both Voit and Dommety further teaches wherein said home location register is not associated with a home mobile switch (Voit: as seen in Figure 4 and column 12, lines 18 – 43 and Dommety: Figure 9 and column 11, lines 27 – 37 and column 11, lines 1 – 13).

Regarding claim 18, Voit in view Dommety teach all the claimed limitations as recited in claim 17. Both Voit and Dommety further teach wherein said wireless data unit operates only in a roaming state (Voit: Figure 9 and column 12, lines 18 – 42 and Dommety: column 6, lines 24 – 53).

Regarding claim 19, Voit teaches of a communication system that provides an optimum connector path between a hard-wired data unit and a wireless data unit, comprising: a public switched telephone network (as seen in Figure 4 and column 8, lines 31 – 44); an alternate non-public switch telephone network controlled by at least one server and containing at least one hard-wired data unit (column 7, lines 39 – 54); and a wireless communication network for communicating with said wireless data unit, comprising: a home location register addressable by said server (column 12, lines 18 – 44); wherein said at least one hard-wired data unit on said alternate non-public switch telephone network is also in communication with said public switch telephone network, and wherein said at least one hard-wired data unit uses said temporary local directory number to call said serving switch to establish communication with said wireless data unit (as seen in Figure 4 and column 7, lines 39 – 64 and column 12, lines 18 – 44) and said temporary local directory number being forwarded to said home location register for delivery to said server of said alternate non-public switch telephone network (column 12, lines 18 – 44).

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Voit does not specifically teach of a visited location register in selective communication with said home location register, said home location register including a database showing that said visited location register was last in communications with said wireless data serving switch in communication with said wireless data unit and with said visited location register, wherein a temporary local directory number for said serving switch is established by said visited location register, said temporary local directory number being forwarded to said home location register for delivery to said server of said alternate non-public switch telephone network.

In a related art dealing with mobile location management, Dommety teaches of a visited location register in selective communication with said home location register, said home location register including a database showing that said visited location register was last in communications with said wireless data serving switch in communication with said wireless data unit and with said visited location register (column 11, lines 1 – 13; column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 – 38 and column 1, lines 31 – 56), wherein a temporary local directory number for said serving switch is established by said visited location register (column 11, lines 26 – 46 and further in column 12, lines 20 – 39; traditional names and background are given in column 2, lines 16 – 38).

It would have been obvious to one skilled in the art at the time of invention to have included Voit's optimal communication system, Dommety's VLR structure, for the purposes of timely and cost effectively tracking mobile position for call set-up, as taught by Dommety.

Regarding claim 20, Voit in view of Dommety teach all the claimed limitations as recited in claim 19. Both Voit and Dommety further teaches wherein said home location register is not

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associated with a home mobile switch (Voit: as seen in Figure 4 and column 12, lines 18 – 43 and Dommety: Figure 9 and column 11, lines 27 – 37 and column 11, lines 1 – 13).

Regarding claim 21, Voit in view Dommety teach all the claimed limitations as recited in claim 19. Voit further teaches of wherein said alternate non-public switch telephone network is an Internet based network (column 7, lines 54 – 63).

9. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783) and Dommety et al. (Dommety, US Patent No 6,078,575) as applied to claim 10 above, and further in view of Perlman (Perlman, US Patent 5,636,209).

Regarding claim 12, Voit in view of Dommety, teach all the claimed limitations as recited in claim 10. Voit further teaches of wherein said alternate network includes a pool of hard-wired data units (column 7, lines 41 – 53).

Voit in view of Dommety do not specifically teach of said hard-wired data units dispersed at geographically remote locations with said server selecting one of said hard-wired data units using said temporary local directory number.

In an related art dealing with a modem that supports multiple site called conferenced data Perlman teaches of said hard-wired data units dispersed at geographically remote locations with said server selecting one of said hard-wired data units using said temporary local directory number (column 7, lines 22 – 40 and column 9, lines 31 –55 and column 10, lines 29 – 49).

It would have been obvious to one skilled in the art at the time of invention to have used into Voit and Dommety's TLDN with Perlman's pool of number's and modems, for the purposes of finding the closest modem, thus reducing cost, as taught by Perlman.

Regarding claim 13, Voit in view of Dommety and Perlman teach all the claimed limitations as recited in 12. Perlman further teaches of wherein said server compares said temporary local directory number with a phone number assigned to each of said hard wired data units on said public switch telephone network to determine said hard-wired data unit closest to said serving switch so as to establish a local call over the public switch telephone network (column 7, lines 22 – 40 and column 9, lines 31 –55 and column 10, lines 29 – 49).

10. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783) and Dommety et al. (Dommety, US Patent No 6,078,575) as applied to claim 10 above, and further in view of Perlman (Perlman, US Patent 5,636,209).

Regarding claim 22, Voit in view of Dommety teach all the claimed limitations as recited in claim 19. Voit in view of Dommety do not specifically teach of wherein said alternate non-public switch telephone network includes a pool of hard-wired data units, said hard-wired data units dispersed at geographically remote locations with said server selecting one of said hard-wired data units using said temporary local directory number.

In a related art dealing with a modem that supports multiple site called conferenced data Perlman teaches of wherein said alternate non-public switch telephone network includes a pool of hard-wired data units, said hard-wired data units dispersed at geographically remote locations with said server selecting one of said hard-wired data units using said temporary local directory number (column 7, lines 22 – 40 and column 9, lines 31 –55 and column 10, lines 29 – 49).

It would have been obvious to one skilled in the art at the time of invention to have used into Voit and Dommety's TLDN with Perlman's pool of number's and modems, for the purposes of finding the closest modem, thus reducing cost, as taught by Perlman.

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Regarding claim 23, Voit in view of Dommety and Perlman teach all the claimed limitations as recited in claim 22. Perlman further teaches of wherein said server compares said temporary local directory number with a phone number assigned to each of said hard-wired data units on said public switch telephone network to determine said hard-wired data unit closest to said serving switch so as to establish a local call over the public switch telephone network (column 7, lines 22 – 40 and column 9, lines 31 – 55 and column 10, lines 29 – 49).

11. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (Voit, US Patent No. 6,075,783) in view of Perlman (Perlman, US Patent 5,636,209).

Regarding claim 24, Voit teaches of a method of communicating between a hard-wired data unit initiating a call to said wireless data unit while upon an alternate non-public switch telephone network controlled by at least one server (column 7, lines 24 – 63); establishing communication between said alternate non-public switch telephone network and a wireless network, said wireless network including a home location register addressable by said server but not associated with a home mobile switch (column 12, lines 17 – 44 and column 10, lines 53 – 60); retrieving a temporary local directory number assigned to said wireless data unit by said wireless network, said temporary local directory number being relayed from said wireless network to said server of said alternate non-public switch telephone network (column 12, lines 17 – 44); establishing communication from said hard-wired data unit on said alternate non-public switch telephone network, through said public switched telephone network, to said wireless data unit on said wireless network (column 7, lines 39 – 54 and column 12, lines 17 – 44).

Voit does not specifically teach of selecting said hard-wired data unit from a pool of geographically disposed hard-wired data units by comparing characteristics of said temporary



local directory number with characteristics of each phone number associated with each said hardwired data unit.

In a related art dealing with a modem that supports multiple site called conferenced data Perlman teaches of selecting said hard-wired data unit from a pool of geographically disposed hard-wired data units by comparing characteristics of said temporary local directory number with characteristics of each phone number associated with each said hardwired data unit (column 7, lines 22 – 40 and column 9, lines 31 –55 and column 10, lines 29 – 49).

It would have been obvious to one skilled in the art at the time of invention to have used into Voit's TLDN with Perlman's pool of number's and modems, for the purposes of finding the closest modem, thus reducing cost, as taught by Perlman.

Regarding claim 25, Voit in view of Perlman teach all the claimed limitations as recited in claim 24. Voit further teaches wherein said alternate non-public switch telephone network is based on the Internet protocol (column 7, lines 30 –39).

### ***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37


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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanmay S Lele whose telephone number is (703) 305-3462. The examiner can normally be reached on 9 - 6:30 PM Monday – Thursdays and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on (703) 308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

  
Tanmay S Lele  
Examiner  
Art Unit 2684

tsl  
October 19, 2003

  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**